

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CARLA GRAY

Plaintiff,

v.

HOFFMAN-LA ROCHE, INC. *et al.*,

Defendants

SHANKAR VEDANTAM,
The Washington Post,

Movant

Misc. No.: 02-136 (RMU)

ORDER

GRANTING THE MOVANT’S MOTION TO QUASH A SUBPOENA

Carla Gray, the plaintiff in civil action number 01-493-S in the U.S. District Court for the Eastern District of Oklahoma, has served Shankar Vedentam, the movant and a Washington Post Reporter, with a subpoena for a trial deposition. The subject matter of this deposition would include the reporter’s interview with the Vice President for Public Affairs at Hoffman-La Roche regarding the drug Accutane. The movant asks this court to quash the subpoena.

After reviewing the submissions of the parties and the relevant law, this court determines that the plaintiff has failed to meet the requisite burden as set forth in the District of Columbia Free Flow of Information Act of 1992, D.C. Code § 16-4701 *et seq.*, and *Zerrilli v. Smith*, 656 F.2d 705, 711-716 (D.C. Cir. 1981). More specifically, the plaintiff has not convinced this court, by clear and convincing evidence, that the information sought “goes to ‘the heart of the matter’” of the pending litigation, civil action number 01-493-S; that the plaintiff has exhausted

alternative means for obtaining the information; and that the disclosure of the information is in the public interest. *See Zerilli*, 656 F.2d at 713; D.C. Code § 16-4703(a).

Accordingly, it is this 27th day of March, 2002,

ORDERED that the movant's motion to quash the subpoena for the trial deposition of Shankar Vedantam is **GRANTED**.

SO ORDERED.

Ricardo M. Urbina
United States District Judge